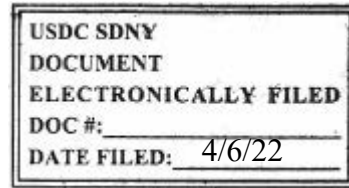


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



DOCUMENTED NY,

Plaintiff,

-against-

UNITED STATES DEPARTMENT OF STATE,  
UNITED STATES DEPARTMENT OF HEALTH  
AND HUMAN SERVICES, and  
OFFICE OF MANAGEMENT AND BUDGET,

Defendants.

**STIPULATION  
& ORDER**

20 Civ. 1946 (AJN)

WHEREAS, on November 21, 2019, plaintiff Documented NY (“Plaintiff”) made a request (the “Request”) pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, to defendants the United States Department of State (“State”), United States Department of Health and Human Services (“HHS”), and Office of Management and Budget (“OMB,” and together with the other defendants, “Defendants”); and

WHEREAS, the Request sought various records relating to a 2019 presidential proclamation;

WHEREAS, in March 2020, Plaintiff filed this action challenging Defendants’ failure to respond to the Request; and

WHEREAS, after the case was filed, the parties litigated certain issues, including the applicable timetable for State’s processing of records potentially responsive to the Request;

WHEREAS, HHS and OMB have completed processing all potentially responsive records located in their searches, and Plaintiff does not challenge HHS or OMB’s responses;

WHEREAS, on March 15, 2022, Plaintiff sent the State Department electronically an additional FOIA request (the “Additional Request”), which State assigned reference number F-2022-06010, which State has also responded to;

WHEREAS, the only two outstanding issues in this case are (1) the State Department’s response to the Request and (2) Plaintiff’s claim for attorneys’ fees and costs, and the parties wish to resolve these issues and dispose of this matter without further litigation,

NOW, THEREFORE, it is hereby STIPULATED and AGREED between the parties as follows:

1. Within a reasonable time after the Court has endorsed and docketed this Stipulation and Order, Defendants shall pay to Plaintiff the sum of three thousand, three hundred dollars and no cents (\$3,300.00) for attorneys’ fees and litigation costs. This payment shall constitute full and final satisfaction of any claims by Plaintiff for attorneys’ fees and litigation costs in this matter, and is inclusive of any interest. Payment shall be made by electronic funds transfer, and counsel for Plaintiff will provide the necessary information to counsel for the Defendants to effectuate the transfer.

2. Plaintiff releases and discharges the Defendants and the United States of America, including its agencies, departments, officers, employees, servants, and agents, from any and all claims and causes of action that Plaintiff asserted, or could have asserted, arising out of the Request or the Additional Request.

3. This action is accordingly dismissed with prejudice and without costs or fees other than as provided in paragraph 1 of this Stipulation and Order, provided that the Court shall retain jurisdiction over any issues that might arise relating to the enforcement of this Stipulation and Order.

4. Nothing in this Stipulation and Order shall constitute an admission that the Defendants are liable for any attorneys' fees or litigation costs, or that Plaintiff "substantially prevailed" in this action under 5 U.S.C. § 552(a)(4)(E), or is entitled to or eligible for any attorneys' fees or litigation costs. Nor is it an admission that the amount here agreed upon covers all of the time that could, in Plaintiff's view be compensable as attorneys' fees and litigation costs in this action. Rather, this Stipulation and Order is entered into by the parties solely for the purpose of compromising disputed claims in this case and avoiding the expenses and risks of further litigation concerning Plaintiff's claims for attorneys' fees and litigation costs. This Stipulation and Order is non-precedential with respect to any other proceeding involving the parties, including, but not limited to, any other FOIA action or administrative proceeding, and shall have no effect or bearing on any pending or future request for records made by Plaintiff under FOIA.

5. This Stipulation and Order contains the entire agreement between the parties, and no statement, representation, promise, or agreement, oral or otherwise, between the parties or their counsel that is not included herein shall have any force or effect.

6. This Stipulation and Order may be executed in counterparts. Facsimile or pdf signatures shall constitute originals.

Date: New York, New York  
April 6, 2022

BAHER AZMY




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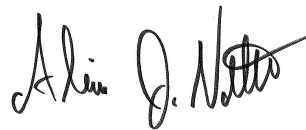


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*Attorneys for Plaintiffs*

SO ORDERED:



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HON. ALISON J. NATHAN  
~~UNITED STATES DISTRICT JUDGE~~

United States Circuit Judge  
Sitting by designation

Dated: New York, New York  
April 6, 2022